IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION CIVIL ACTION NO. 3:20-CV-0217-DCK

CARL E. OSBORNE,)
Plaintiff,)
v.	ORDER
STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY,)
Defendant.)))

THIS MATTER IS BEFORE THE COURT on Defendant State Farm Mutual Automobile Insurance Company's "Motion To Dismiss" (Document No. 6) filed April 17, 2020. The parties have consented to Magistrate Judge jurisdiction pursuant to 28 U.S.C. § 636(c), and immediate review is appropriate. Having carefully considered the motion and the record, the undersigned will deny the motion as moot.

Defendant's "Motion To Dismiss" "moves to dismiss Plaintiff's bad faith claim." (Document No. 6, p. 1). The undersigned notes that the parties filed a joint "Stipulation Of Dismissal Of Claim" (Document No. 15) on May 8, 2020, stipulating that Plaintiff's bad faith claim be dismissed without prejudice. As such, it appears the pending motion is now moot.

IT IS, THEREFORE, ORDERED that Defendant State Farm Mutual Automobile Insurance Company's "Motion To Dismiss" (Document No. 6) is **DENIED AS MOOT**.

IT IS FURTHER ORDERED that Plaintiff may file an Amended Complaint on or before June 5, 2020.

Signed: May 13, 2020

David C. Keesler
United States Magistrate Judge